

ASSOCIATED PRESS

2 July 1982

111A054

R A CZCHYFUIV A0497

7PM-GILBERT,280

7ACCUSED SPY FOR HUNGARY PLEADS GUILTY TO CONSPIRACY CHARGE

AUGUSTA, Ga. (AP) - A NATURALIZED AMERICAN CITIZEN ACCUSED OF SPYING FOR HUNGARY HAS PLEADED GUILTY TO A CONSPIRACY CHARGE AND FACES UP TO 15 YEARS IN PRISON IF A FEDERAL JUDGE ACCEPTS A PLEA BARGAIN. SENTENCING WAS TENTATIVELY SET FOR AUG. 3 AFTER OTTO ATTILLA GILBERT APPEARED IN COURT THURSDAY; BUT U.S. DISTRICT JUDGE DUDLEY H. BOWEN JR. DID NOT IMMEDIATELY ACCEPT THE PLEA; INDICATING HE WANTED TO STUDY THE AGREEMENT.

THE AGREEMENT SAID PROSECUTORS WOULD DROP THREE RELATED CHARGES AGAINST GILBERT; 50; IN EXCHANGE FOR THE PLEA. HE HAD BEEN SCHEDULED TO FACE TRIAL JULY 6.

ACCORDING TO THE PLEA BARGAIN; GILBERT; WHOSE MOST RECENT ADDRESS WAS FOREST HILLS; N.Y.; ADMITTED CONSPIRING TO OBTAIN AND TRANSMIT SECRET DOCUMENTS AND MILITARY INFORMATION FROM AN UNDERCOVER AGENT; ARMY CHIEF WARRANT OFFICER JANOS MIHALY SZMOLKA OF NEARBY FORT GORDON. BOTH GILBERT AND SZMOLKA; 43; ARE NATIVES OF HUNGARY.

ACCORDING TO THE INDICTMENT WHICH CAPPED A FOUR-YEAR INVESTIGATION; GILBERT WAS ARRESTED IN APRIL AFTER MEETING SEVERAL TIMES IN THE UNITED STATES AND EUROPE WITH SZMOLKA AND OTHER PERSONS; THEN GIVING \$4,000 TO SZMOLKA IN EXCHANGE FOR CLASSIFIED DOCUMENTS ON FILM.

THE MAXIMUM SENTENCE ON THE CONSPIRACY CHARGE IS LIFE IN PRISON; BUT THE GOVERNMENT AGREED TO RECOMMEND 'AN APPROPRIATE TIME OF IMPRISONMENT ... BUT NOT TO EXCEED 15 YEARS;' BOWEN SAID FROM THE BENCH.

ANOTHER SECTION OF THE AGREEMENT WAS SEALED AT THE REQUEST OF ASSISTANT U.S. ATTORNEY J. MICHAEL FAULKNER.

IF THE JUDGE DOES NOT ACCEPT THE AGREEMENT; GILBERT COULD WITHDRAW HIS PLEA AND WOULD BE ENTITLED TO A JURY TRIAL ON ALL FOUR CHARGES.

AP-NY-07-02 0716EDT